

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JASMAINE N. HAGOOD,

:

Plaintiff,

v.

:

Case No. 3:17-cv-273

ANDREW SAUL, Commissioner  
of Social Security,

:

JUDGE WALTER H. RICE

Defendant.

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DECISION AND ENTRY ADOPTING REPORT AND  
RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE  
(DOC. #25); OVERRULING PLAINTIFF'S MOTION FOR RELIEF FROM  
JUDGMENT (DOC. #23); OVERRULING PLAINTIFF'S "MOTION TO  
REOPEN CASE PURSUANT TO CFR 404.989" (DOC. #28); CASE  
TO REMAIN TERMINATED ON DOCKET

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On September 24, 2018, the Court issued a Decision and Entry affirming the Commissioner's decision that Plaintiff was not disabled and terminating the case. Doc. #21. One year later, Plaintiff filed a Motion to Reopen Case and Relief from a Judgment or Order Under Federal Rule 60(b), Doc. #23. Defendant filed a response. Doc. #24.

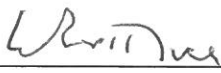
On October 29, 2019, United States Magistrate Judge Michael J. Newman filed a Report and Recommendations, Doc. #25, recommending that the Court overrule Plaintiff's motion. Although Plaintiff was notified of her right to file Objections to that Report and Recommendations, and of the consequences of failing to do so, no Objections were filed within the time allotted.

Based on the reasoning and citations of authority set forth by Magistrate Judge Newman in the Report and Recommendations, as well as upon a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS said judicial filing, Doc. #25, and OVERRULES Plaintiff's Motion to Reopen Case and Relief from a Judgment or Order Under Federal Rule 60(b), Doc. #23.

The Court notes that, on December 23, 2019, Plaintiff filed a "Motion to Reopen Case Pursuant to CFR 404.989," Doc. #28, attaching new medical records. The Court presumes that this is a reference to 20 C.F.R. § 404.989, which permits the Social Security Administration to reopen a determination if new and material evidence is furnished. Any such request, however, must be addressed to the Social Security Administration, not to the Court. Accordingly, the Court OVERRULES Plaintiff's Motion to Reopen Case Pursuant to CFR 404.989, Doc. #28.

The above-captioned case shall remain terminated on the Court's docket.

Date: January 2, 2020

  
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WALTER H. RICE  
UNITED STATES DISTRICT JUDGE